IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.154 OF 2006

Bhavarilal N.Parihar .. Petitioner
V/s
Union of India & Ors .. Respondents

Mr.A.S.Rao i/by Mr.M.S.Mhaispurkar for the Petitioner.

Mr.R.V.Desai, Senior Counsel with Mrs.Neeta Masurkar for the Respondent Nos.1 to 3.

Mr.Laxmikant Setalkar for Respondent No.4.

CORAM: DR.S.RADHAKRISHNAN & J.P.DEVADHAR, JJ.

DATE : 23.01.2006.

P.C.:

1. Heard the learned Counsel for the parties. By this Petition, the Petitioner is challenging the pre-deposit order dated 25.11.2005 passed by the Appellate Tribunal for Foreign Exchange. In the said order the Tribunal appears to have taken into account the financial difficulty of the Petitioner and has reduced the pre-deposit amount to 60% of the penalty amount. Admittedly, the Petitioner who is the partner in the jewellery shop was present when the raid took place. We have perused the order passed by the Special Director of Enforcement dated 28th March, 2000. Especially for the reasons stated in the said order, we do not find that the amount of pre-deposit of 60% of the penalty amount is unfair. Petition is totally devoid of merits. Hence the Petition stands dismissed.

(DR.S.RADHAKRISHNAN, J.)

(J.P.DEVADHAR, J.)